

REMARKS

Claims 1-26 are active. Claims 4, 5, 9, 10, 25 and 26 were previously indicated as being allowable if rewritten in independent form.

The Applicants thank Examiner Ibrahim for the helpful and courteous discussion of August 15, 2003. It was suggested that amendment of the claims to replace the term "adventitious shoot redifferentiation gene" with the term --cytokinin-related gene-- would likely address the remaining rejection. The Applicants have now comprehensively amended the claim set to use the term --cytokinin-related gene--. Favorable consideration is respectfully requested.

SUPPORT FOR THE AMENDMENT

Page 11 of the specification has been revised to correct a translation error. Support for this revision is clear from the context on page 11 of the specification. As suggested by the Examiner, the claim set has been amended to replace the term "adventitious shoot redifferentiation gene" with the term "cytokinin-related gene". Support for this term is found in original Claim 4 and on page 11 of the specification. Claims 4, 9 and 25 have been amended to further limit the invention to a particular type of cytokinin-related gene: β -glucuronidase gene. Support for this term is found in the specification on page 11, line 17. Accordingly, the Applicants do not believe that any new matter has been added.

Rejection—35 U.S.C. 112, first paragraph

Claims 1-3, 6-8 and 11-24 were rejected under 35 U.S.C. 112, first paragraph as lacking enablement for "any adventitious shoot redifferentiation gene". The Applicants maintain that one with skill in the art would be easily able to select an appropriate adventitious shoot redifferentiation gene for the reasons of record. However, as discussed,

solely to expedite allowance of the remaining claims, the claim set has now been limited to methods and products involving "cytokinin-related genes". Accordingly, the Applicants respectfully submit that this rejection may now be withdrawn.

CONCLUSION

In view of the above amendments and remarks, the Applicants respectfully submit that this application is now in condition for allowance. Early notification to that effect is earnestly solicited.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Norman F. Oblon", written in a cursive style.

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